

ZON04-00004



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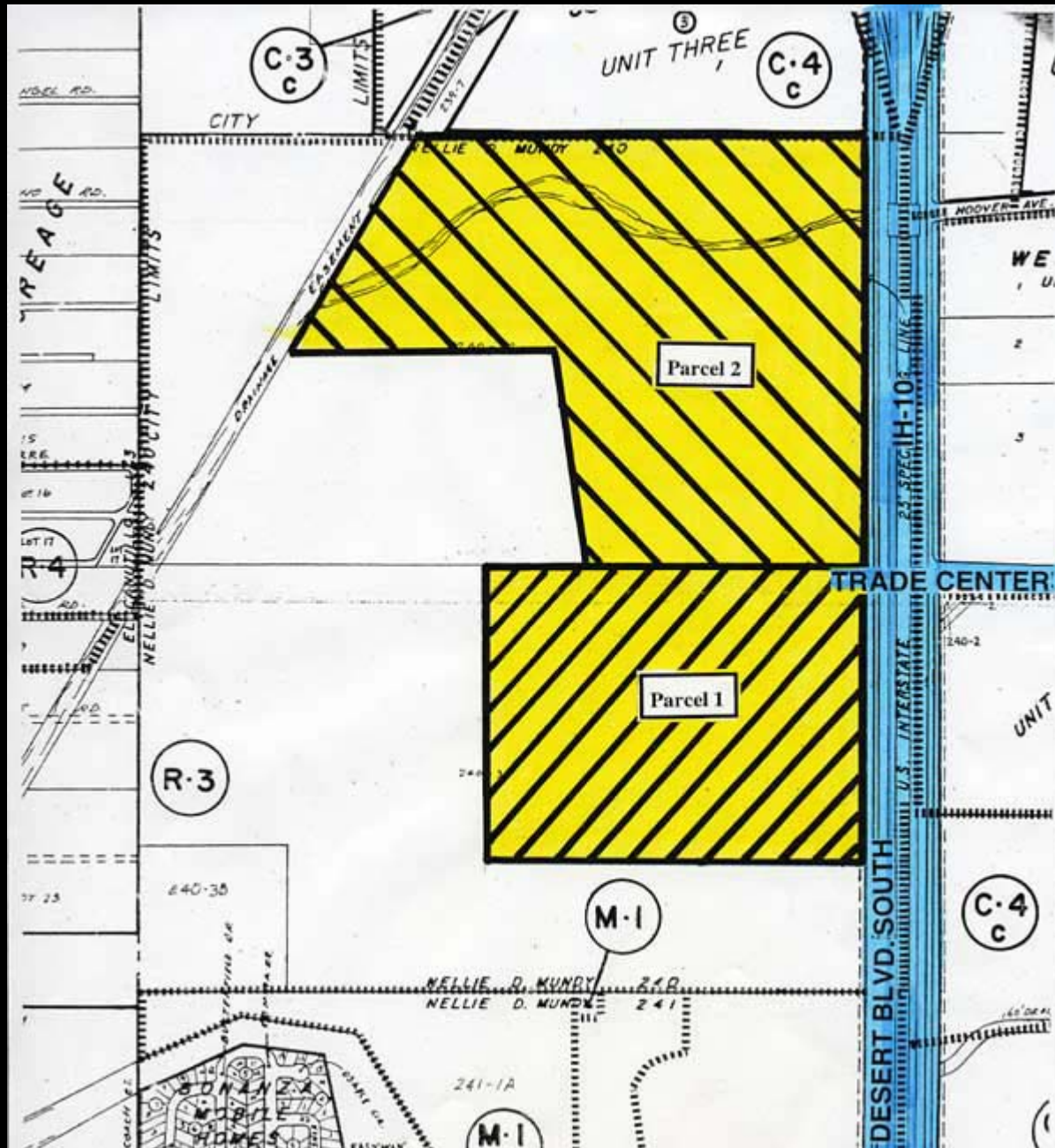


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ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON04-00004 TO SATISFY PARKING REQUIREMENTS FOR PARCEL I, DESCRIBED AS A 49.4544 ACRE PORTION OF TRACT 3A, NELLIE D. MUNDY SURVEY NO. 240, EL PASO, EL PASO COUNTY, TEXAS; BY ALLOWING OFF-SITE OFF-STREET PARKING ON PARCEL II, DESCRIBED AS TRACT 1-A-1, NELLIE D. MUNDY SURVEY NO. 240, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.12.040. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Canutillo Independent School District** has applied for a Special Permit under Section 20.12.040 of the El Paso Municipal Code to allow the off-street parking requirements of Section 20.64.170 to be satisfied off-site;

WHEREAS, the requirements of Section 20.64.170 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Parcel I, which is described as a *49.4544 acre Portion of Tract 3A, Nellie D. Mundy Survey No. 240, El Paso, El Paso County, Texas*, is in an R-3 (Residential) District which requires one thousand eight hundred seventy-five (1,875) off-street parking spaces under Section 20.64.170 of the El Paso Municipal Code;

2. That the City Council hereby grants a Special Permit under Section 20.12.040 of the El Paso Municipal Code so that the off-street parking requirements described in Paragraph 1 of this Ordinance may be partially satisfied off-site (six hundred fifty-four spaces) as described in Paragraph 3 of this Ordinance;

3. That Parcel II (El Paso Community College), which is described as *Tract 1-A-1, Nellie D. Mundy Survey No. 240, El Paso, El Paso County, Texas*, is in an R-3 (Residential) District and is located on a separate site from the property described in Paragraph 1 of this Ordinance;

4. That the City Council hereby grants a Special Permit under Section 20.12.040 so that the property described in Paragraph 3 of this Ordinance may be used as off-site, off-street parking in order to partially satisfy the parking requirements described in Paragraph 1 of this Ordinance;

5. That this Special Permit is issued subject to the development standards in the R-3 (Residential) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes;

6. That if at any time the off-street parking spaces described herein are not available to fulfill the parking requirements described herein, or if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON04-00004**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

7. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this 24th day of **August, 2004**.

THE CITY OF EL PASO

Joe Wardy, Mayor

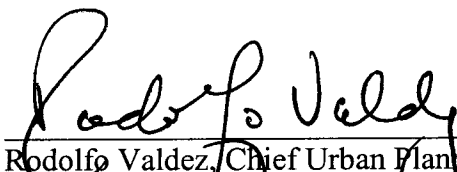
ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:

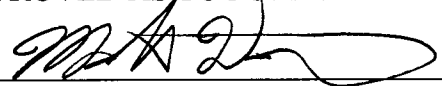


Kimberly Forsyth, Urban Planner
Planning, Research & Development



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

APPROVED AS TO FORM:



Matt Watson, Asst. City Attorney

ORDINANCE NO. _____

Special Permit ZON04-00004

49.4544 ACRES

TRACT 3A, NELLIE D. MUNDY SURVEY NO. 240

The parcel of land herein described is a portion of Tract 3A, Nellie D. Mundy Survey No. 240, is also a portion of that certain 138.848 acre parcel described in Book 2857, Page 1803, Deed Records, El Paso County, Texas, and more particularly described as follows:

Commencing for reference at a 2 inch galvanized pipe found for the common west corner of the Nellie D. Mundy Survey Numbers 240 and 241 lying on the east line of El Canutillo Survey No. 173 (from said point of commencement, for reference, a found 1" pipe in concrete monument found at the southwest corner of Mundy Survey No. 241 and at the southwest corner of Borderland Heights Unit One bears S 0°06'59" W [South 00°07' West Deed] 3616.78 feet, also from said point of commencement, for reference, a found 1" square steel bar found on the west boundary line of Mundy Survey No. 240 at the centerline of Talbot Road bears N 0°06'56" E [North 00°07' East Deed] 5759.75 feet); Thence, with the common boundary line of Nellie D. Mundy Survey No. 240 and El Canutillo Survey No. 173, North 00°06'56" East (North 00°07'00" East-Deed) 2048.09 feet to the northwest corner of said 138.848 acre parcel, and being the west common corner of Tracts 1A and 3A, Nellie D. Mundy No. 240; Thence, with the north boundary line of said 138.848 acre parcel, South 89°59'04" East (South 89°59' East -Deed) 1498.09 feet to a set ½ inch rebar with cap marked TX 4297 NM 10472, for the northwest corner and POINT OF BEGINNING of the herein described parcel.

Thence, South 89°59'04" East (North 89°59'00" East -Deed) 1879.00 feet (El Paso Community College parcel Tract 1A1, Nellie D. Mundy Survey No. 240, Bk.2100, Pg.0328 lies to the north). to a set ½ inch rebar with cap marked TX 4297 NM 10472 on the west right-of-way line of Interstate Highway Ten and the northeast corner of this parcel (a found TXDOT right-of-way marker bears N 0°02'13" E 2343.02 feet);

Thence, with said right-of-way line, South 00°02'13" West (South 00°04'30" West-Deed) 1146.00 feet to a set ½ inch rebar with cap marked TX 4297 NM 10472 for the southeast corner of this parcel (a found TXDOT right-of-way marker bears S 0°02'13" W 500.19 feet);

Thence, leaving said right-of-way line, North 89°59'04" West 1880.57 feet to a set ½ inch rebar with cap marked TX 4297 NM 10472 for the southwest corner of this parcel;

Thence, North 00°06'56" East 1146.00 feet to the POINT OF BEGINNING and containing 2154235 square feet or 49.4544 acres.

This description is based on a field survey performed under the supervision of Stephen Earl Cobb, Texas RPLS 4297. Bearings cited herein, except for parenthetical record bearings, are based on true (geodetic) north for a surface transverse mercator projection centered at NGS survey marker "Chino".


STEPHEN EARL COBB

R.P.L.S. TX 4297

March 12, 2002

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STEPHEN EARL COBB, RPLS TX 4297 NM 10472 AZ 25068
DAVID C. CLAUSEN, RPLS NM 6547 CO 15621 AZ 12003
CHRISTIAN A. CLAUSEN, RPLS TX 5511 AZ 36621
JOHN P. GAMERTSFELDER RPLS TX 4680

